

Message

From: Pham, Lisa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=14A7264DB49E40308C0E7CCD700C7EE7-PHAM, LISA]
Sent: 2/23/2023 7:58:34 PM
To: Laura Sorey [Laura.Sorey@LA.GOV]
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Table 1 to Paragraph (a) EPA-Approved Louisiana SDWA §1422 Underground Injection Control Program Statutes and Regulations for Well Classes I, III, IV, V and VI			
State citation	Title/subject	State effective date	EPA approval date ^[1]
Louisiana Revised Statutes Annotated sections 30:1-30:24	Minerals, Oil, and Gas and Environmental Quality	1975 and Supp. 1982	June 25, 1984
Underground Injection Control Program Regulations for Class I, III, IV, and V wells, (Statewide Order No. 29-N-1)	Class I, III, IV and V Injection Wells	February 20, 1982	June 25, 1984
Louisiana Administrative Code 43:XIX.Chapters 1-5 (Statewide Order No. 29-B)	Drilling for and Producing of Oil and Gas in the State of Louisiana	August 26, 1974	June 25, 1984
Louisiana Administrative Code 43:XVIII.Chapter 3 (Statewide Order No. 29).	Hydrocarbon Storage Wells in Salt Dome Cavities	July 20, 1977	June 25, 1984
Louisiana Administrative Code 43:XVIII.Chapter 36 (Statewide Order No. 29-N-6)	Class VI Injection Wells	January 2021	[Insert date of publication in the Federal Register]

Hi Laura,

Sorry for this late response.

Does the above table look like what your folks recommended?

Lisa

From: Laura Sorey <Laura.Sorey@LA.GOV>
Sent: Wednesday, February 22, 2023 10:29 AM
To: Pham, Lisa <Pham.Lisa@epa.gov>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Lisa,

After getting some feedback from our attorneys, we need some additional clarification. The original language in the table cited La R.S. §§30.1 to 30:24. I believe all of these subsections touch on the authority of the Commissioner of Conservation but aren't strictly limited to UIC related duties.

^[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the [Federal Register](#) notice cited in this column for the particular provision.

Our legal folks recommended that we instead break out all the UIC related statutes and remove references to other statutes for the Commissioner's authority in areas that don't pertain to primacy.

Is that acceptable to the EPA, or is it more important that we're consistent with what was previously cited?

Laura

From: Pham, Lisa <Pham.Lisa@epa.gov>
Sent: Friday, February 17, 2023 10:36 AM
To: Laura Sorey <Laura.Sorey@LA.GOV>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Sounds great, thank you!

From: Laura Sorey <Laura.Sorey@LA.GOV>
Sent: Friday, February 17, 2023 10:34 AM
To: Pham, Lisa <Pham.Lisa@epa.gov>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Great. I've sent it up for review so we should get the final version with copies off all the referenced regs and statutes to you early next week.

From: Pham, Lisa <Pham.Lisa@epa.gov>
Sent: Friday, February 17, 2023 7:32 AM
To: Laura Sorey <Laura.Sorey@LA.GOV>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Good morning Laura,

It looks fine. Thank you very much.

One more request, could you please send us a copy of these regs so they could be put in the docket.

Thanks again.

Have a nice weekend.

Lisa

From: Laura Sorey <Laura.Sorey@LA.GOV>
Sent: Wednesday, February 15, 2023 5:49 PM
To: Pham, Lisa <Pham.Lisa@epa.gov>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Very helpful! I still need to fix a few dates and circulate this to my folks for review before sending you a final version. But can you take a look at this draft and tell me if I'm moving in the right direction?

Please edit as you see fit, but a few things to note:

- Even though some of the new regulations I call out were promulgated after 1984, I left the EPA approval date remain the same since they're just based upon existing authority for Classes I-V wells as granted in the initial primacy decision.
- My logic for removing the rows calling out specific amendments is that there have been additional revisions to 29-B since 1985. Wouldn't all those amendments be accounted for simply by noting that the most recent revision was in 2019?
- I updated the content and style of the state citations to be more consistent with how we cite them in the primacy application and the vast majority of LDNR correspondence.

I think this style is more representative of the content and presentation of LDNR's regulations. However, I also don't know how prescriptive the Federal Register is in terms of formatting, so I'll defer to your judgment on that.

Laura

From: Pham, Lisa <Pham.Lisa@epa.gov>

Sent: Wednesday, February 15, 2023 2:08 PM

To: Laura Sorey <Laura.Sorey@LA.GOV>

Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

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(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations listed in Table 1 to this paragraph (a) are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Louisiana.

Hope this is helpful.

Regards,

Lisa

From: Laura Sorey <Laura.Sorey@LA.GOV>

Sent: Wednesday, February 15, 2023 12:58 PM

To: Pham, Lisa <Pham.Lisa@epa.gov>

Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Great! Thanks. And can you explain a little bit about the context of this table and what it's being used for in the FRN?

I ask because several of the referenced statewide orders have undergone more recent amendments that what's shown under "state citation", and the statewide orders that postdate the original primacy agreement aren't reflected at all:

- 29-N-2 for Class I hazardous wells,
- 29-M-2 for disposal of E&P waste in solution-mined salt cavities,
- 29-M-3 for Class III solution-mining wells, and
- 29-M-5 for non-hydrocarbon storage wells in salt cavities.

Should we add rows to account for these sections or is that not the intent of this table?

Laura

From: Pham, Lisa <Pham.Lisa@epa.gov>
Sent: Wednesday, February 15, 2023 10:49 AM
To: Laura Sorey <Laura.Sorey@LA.GOV>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

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Hi Laura,

Could you provide both with a note to each.

Thanks.

Lisa

From: Laura Sorey <Laura.Sorey@LA.GOV>
Sent: Wednesday, February 15, 2023 10:02 AM
To: Pham, Lisa <Pham.Lisa@epa.gov>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Lisa,

For regulations that have undergone amendments, should the effective date be the earliest date that the order was enacted or that of the most recent revision?

Laura

From: Laura Sorey
Sent: Wednesday, February 15, 2023 8:29 AM
To: 'Pham, Lisa' <Pham.Lisa@epa.gov>; Corey Shircliff <Corey.Shircliff@la.gov>
Cc: Stephen Lee <Stephen.Lee@la.gov>
Subject: RE: Help needed filling out Table 1 of the FRN and the Rule notebook

Hey Lisa,

We'll take a look this morning and get this back to you ASAP.

Thanks,

Laura Sorey, PG
Geology Supervisor
Department of Natural Resources
Office of Conservation
Injection & Mining Division
617 North Third Street
Baton Rouge, LA 70802
225-342-5581
Laura.Sorey@LA.GOV

From: Pham, Lisa <Pham.Lisa@epa.gov>
Sent: Wednesday, February 15, 2023 8:19 AM
To: Corey Shircliff <Corey.Shircliff@la.gov>; Laura Sorey <Laura.Sorey@LA.GOV>
Cc: Stephen Lee <Stephen.Lee@la.gov>
Subject: FW: Help needed filling out Table 1 of the FRN and the Rule notebook

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Good morning Corey and Laura,

Our EPA-HQ is currently drafting the Federal Register Notice for our proposed approval of the LDNR Class VI Primacy application.

Could you please help me filling out the title/subject and state effective date for the following FRN table.

Thank you very much for your help on this matter.

Regards,

Lisa Pham
Environmental Engineer
U.S. EPA Region 6
Dallas, Texas 75270

Table 1 to Paragraph (a) EPA-Approved Louisiana SDWA §1422 Underground Injection Control Program Statutes and Regulations for Well Classes I, III, IV, V and VI			
State citation	Title/subject	State effective date	EPA approval date ^[1]
Louisiana Revised Statutes Annotated sections 30:1-30:24 (1975 and Supp. 1982)			June 25, 1984
Underground Injection Control Program Regulations for Class I, III, IV, and V wells, Statewide Order No. 29-N-1 (February 20, 1982), as amended June 1, 1985 and January 20, 1986			June 25, 1984
Statewide Order Governing the Drilling for and Producing of Oil and Gas in the State of Louisiana, Statewide Order No. 29-B (August 26, 1974) (Composite Order Incorporating Amendments through March 1, 1974)			June 25, 1984
Amendments to Statewide Order No. 29-B (Off-site Disposal of Drilling Mud and Salt Water Generated from Drilling and Production of Oil and Gas Wells) (effective July 20, 1980)			June 25, 1984
Amendment to Statewide Order No. 29-B (Amendment concerning the use of Tables 5A and 6A, etc.) (December 15, 1980, effective January 1, 1981)			June 25, 1984
Amendment to Statewide Order No. 29-B (Amendment concerning the underground injection control of saltwater disposal wells, enhanced recovery injection wells, and liquid hydrocarbon storage wells) (effective February 20, 1982)			June 25, 1984

^[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the Federal Register notice cited in this column for the particular provision.

Table 1 to Paragraph (a) EPA-Approved Louisiana SDWA §1422 Underground Injection Control Program Statutes and Regulations for Well Classes I, III, IV, V and VI			
State citation	Title/subject	State effective date	EPA approval date ^[1]
Amendment to Statewide Order No. 29-B (Amendment concerning the offsite disposal of drilling mud and saltwater) (effective May 20, 1983)			June 25, 1984
Amendment to Statewide Order No. 29-B (Amendment concerning disposal of nonhazardous oilfield waste) (March 20, 1984, effective May 20, 1984)			June 25, 1984
Amendment to Statewide Order No. 29-B (Amendment concerning the administrative approval of injectivity tests and pilot projects in order to determine the feasibility of proposed enhanced recovery projects) (June 20, 1985, effective July 1, 1985)			June 25, 1984
Statewide Order adopting rules and regulations pertaining to the use of salt dome cavities (i.e., storage chambers) for storage of liquid and/or gaseous hydrocarbons, etc., Statewide Order No. 29-M (July 6, 1977, effective July 20, 1977); Supplement to Statewide Order No. 29-M (October 2, 1978); Second Supplement to Statewide Order No. 29-M (June 8, 1979).			June 25, 1984
Underground Injection Control Program Regulation for Class VI wells, Statewide Order No. 29-N-6	Class VI Injection Wells and Facilities Underground and Injection Control Program		[Insert date of publication in the Federal Register]

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